

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	Case No. 1:11-cr-520-AJT
JASON ANDRE BLACKMAN,)	
)	
Defendant.)	
_____)	

ORDER

This matter is before the Court on defendant's Motion for Reduction of Sentence Under 18 U.S.C. § 3582(c)(2) ("Motion for Reduction of Sentence") [Doc. No. 48], which the Court received on December 9, 2014. On December 10, 2014, the Court issued an Order appointing the Federal Public Defender "to represent the defendant for the purpose of determining whether defendant qualifies for a reduction in sentence." [Doc. No. 49]. Having received no further response on behalf of defendant, the Court will resolve this matter without further briefing.

On December 13, 2011, defendant pled guilty to conspiracy to distribute five kilograms or more of cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and 846, in accordance with the terms of a written plea agreement. On March 16, 2012, the Court imposed a sentence of one-hundred and twenty (120) months in prison, the statutory mandatory minimum. [Doc. No. 46]. Based upon recent changes to § 2D1.1 of the United States Sentencing Guidelines ("U.S.S.G."), made retroactive by Amendment 782, the defendant requests "that the Court grant defendant a sentence reduction in accordance with 18 U.S.C. § 3582(c)(2), U.S.S.G. § 1B1.10(C) . . . and impose a comparable sentence of seventy-eight (78) months." [Doc. No. 48].

Amendment 782 reduces the offense level assigned to drug quantities that trigger the statutory mandatory minimums in U.S.S.G. § 2D1.1 by two levels. While the change brought

about by Amendment 782 applies to all drugs, and is retroactive, a defendant sentenced pursuant to his statutory mandatory minimum finds no relief through its application. Here, the record indicates that by imposing a term of imprisonment of one-hundred and twenty (120) months, the Court sentenced this defendant to the prescribed mandatory minimum based on the charge accepted in his guilty plea. Accordingly, the Court finds that defendant is unable to obtain relief pursuant to 18 U.S.C. § 3582(c)(2).


For these reasons, it is hereby

ORDERED that defendant's Motion for Reduction of Sentence Under 18 U.S.C. § 3582(c)(2) [Doc. No. 48] be, and the same hereby is, DENIED.

The Clerk is directed to forward copies of this Order to the U.S. Attorney's Office, the Federal Public Defender, and defendant, *pro se*, at the address provided below.

Jason Blackman
No. 79042-083
P.O. Box 1000
Cumberland, MD 21501

Alexandria, Virginia
April 26, 2016



/s/
Anthony J. Trenga
United States District Judge